

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

ANTONIA BEY,)	
)	
Plaintiff,)	
)	
vs.)	No. 4:24-cv-01336-MTS
)	
MYSTERIA LLC, <i>et al.</i> ,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This matter is before the Court upon the “Application of Affidavit to Proceed in Forma Pauperis” filed by self-represented Plaintiff Antonia Bey. Doc. [2]. After review of Plaintiff’s Application, the Court will deny it without prejudice for multiple reasons.

First, Plaintiff’s Application to proceed *in forma pauperis* is defective because it was not drafted on a Court form; nor does it provide the substantial equivalent information requested on the Court form. *See* E.D. Mo. L.R. 2.05(A). For example, though Plaintiff indicated that he has no money on hand or in bank accounts, he does not specify whether he is employed nor provide any sources of income. *See* Doc. [2]. Second, the Application filed by Plaintiff does not contain the required financial information needed for the Court to assess whether *in forma pauperis* status should be granted. *See* 28 U.S.C. § 1915(a). Section 1915(a) requires that a litigant seeking to proceed without prepayment of fees and costs must file an affidavit that includes a statement of *all* assets. Plaintiff indicates he has no cash or money in bank accounts, but he does not indicate an absence of other assets like vehicles, real property, bonds, stocks, or other securities. The Court cannot determine whether Plaintiff is truly unable to pay the filing fee if the Court does not know Plaintiff’s current income, his

employment status, and the value of all his assets.

The Court will provide Plaintiff thirty days by which to pay the \$405 filing fee or to complete and file an application to proceed in district court without prepaying fees or costs on a court-provided form. The Court reminds Plaintiff that the declarations made on the Application are made under penalty of perjury. *See* 18 U.S.C. § 1621 (providing penalties for perjury); *see also* Fed. R. Civ. P. 11(b)–(c) (allowing for sanctions for misrepresentations made to the court).

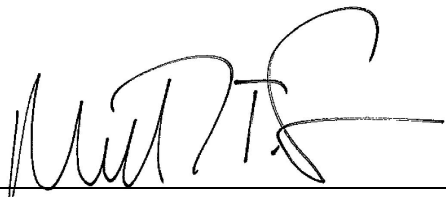
Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Application of Affidavit to Proceed in Forma Pauperis, Doc. [2], is **DENIED**. No later than **Friday, November 15, 2024**, Plaintiff must pay the \$405 filing fee in its entirety or carefully complete and file an application to proceed in district court without prepaying fees or costs on a court form.

IT IS FURTHER ORDERED that the Clerk of Court is directed to send Plaintiff a blank 'Application to Proceed in District Court without Prepaying Fees or Costs' form.

Plaintiff's failure to comply with this Order will result in the dismissal of this action without prejudice and without further notice.

Dated this 16th day of October 2024.



MATTHEW T. SCHELP
UNITED STATES DISTRICT JUDGE